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A5691.0590

January 13, 2006

By Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W., TW-A325
Washington, DC 20554

**Notice of
Ex Parte Presentation**

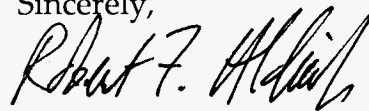
Re: CC Docket No. 96-128

Dear Ms. Dortch:

On January 12, 2006, Ruth Jaeger, President of APCC Services, Inc., and Albert H. Kramer and Robert F. Aldrich of Dickstein Shapiro Morin & Oshinsky, on behalf of APCC Services and the American Public Communications Council ("APCC"), met with the following staff of the Wireline Competition Bureau: Competition Policy Division Deputy Chief William Dever and Carol Simpson and Denise Coca of the division staff.

We discussed the current status of implementation of the current payphone compensation rule, 47 CFR §§ 1300-1320. Among the topics discussed were (1) the problems posed for the payphone compensation process when toll-free numbers dialed at payphones are translated into POTS numbers and terminated as intraLATA communications, (2) difficulties encountered by APCC Services in securing the cooperation of some carriers in resolving payment and data reporting issues, and (3) the problem posed by those Completing Carriers who have failed to make any payments, comply with any requirements, or even respond to inquiries. The enclosed documents were handed out and used to illustrate the problems.

Sincerely,

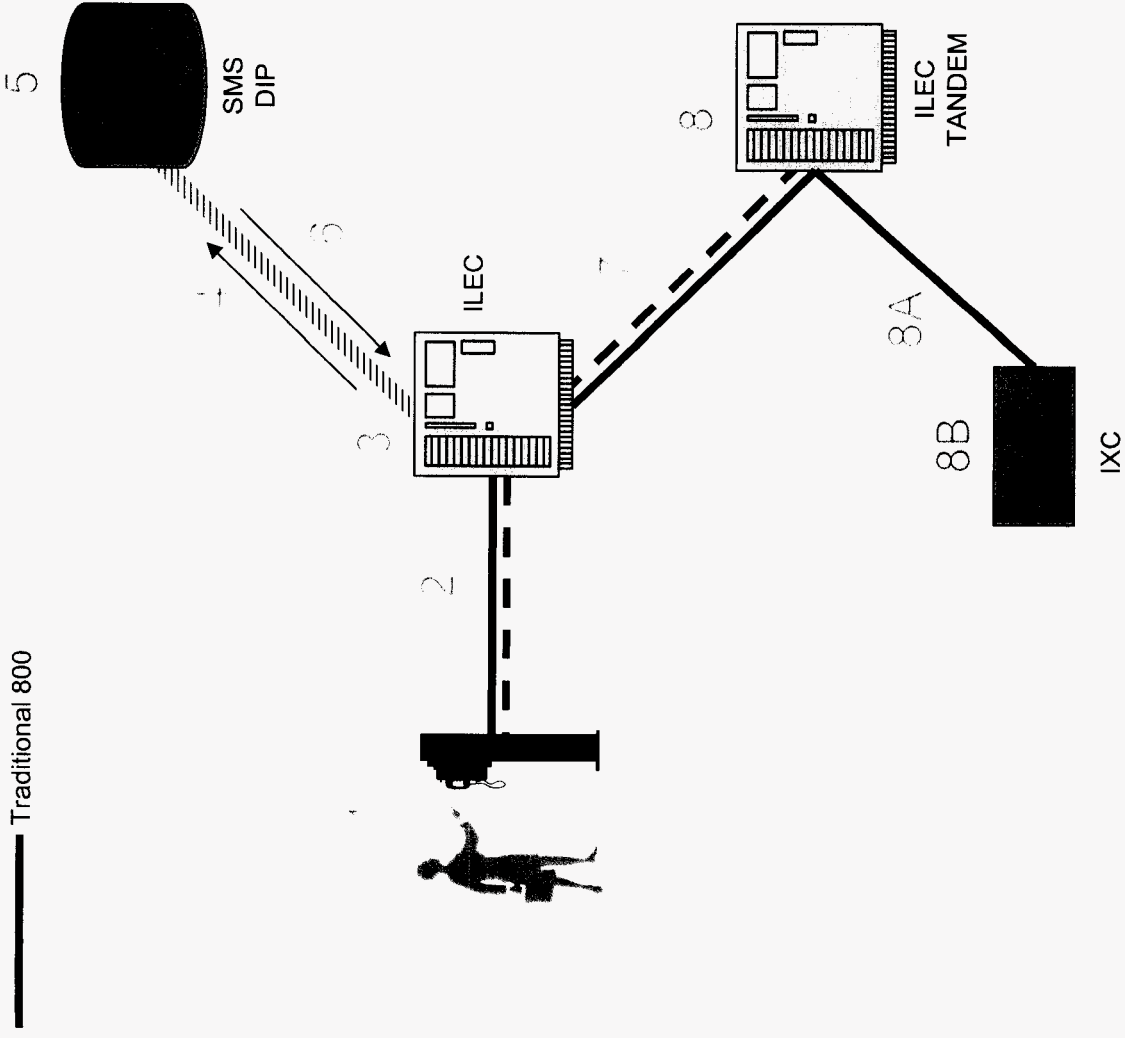


Robert F. Aldrich

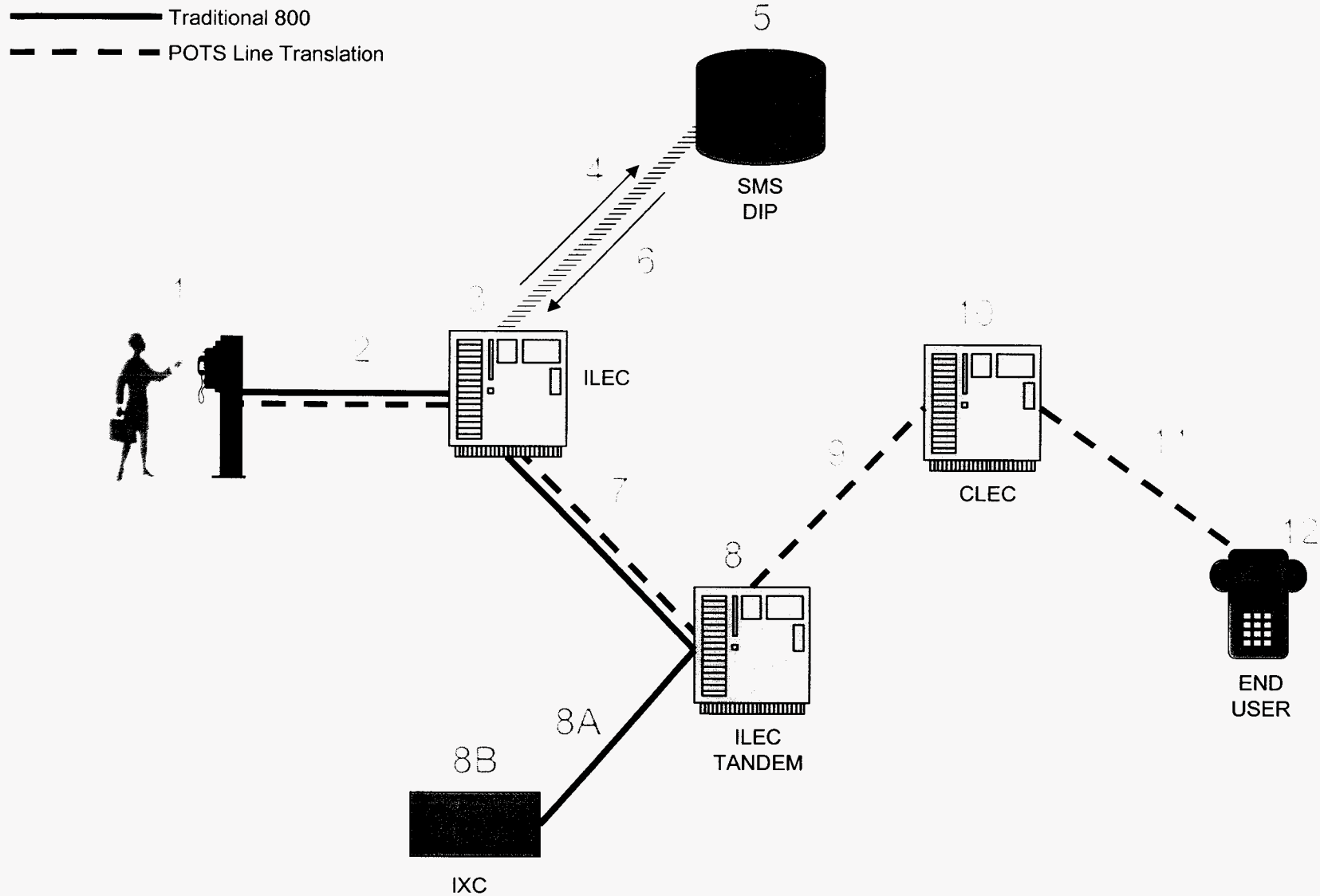
enclosures

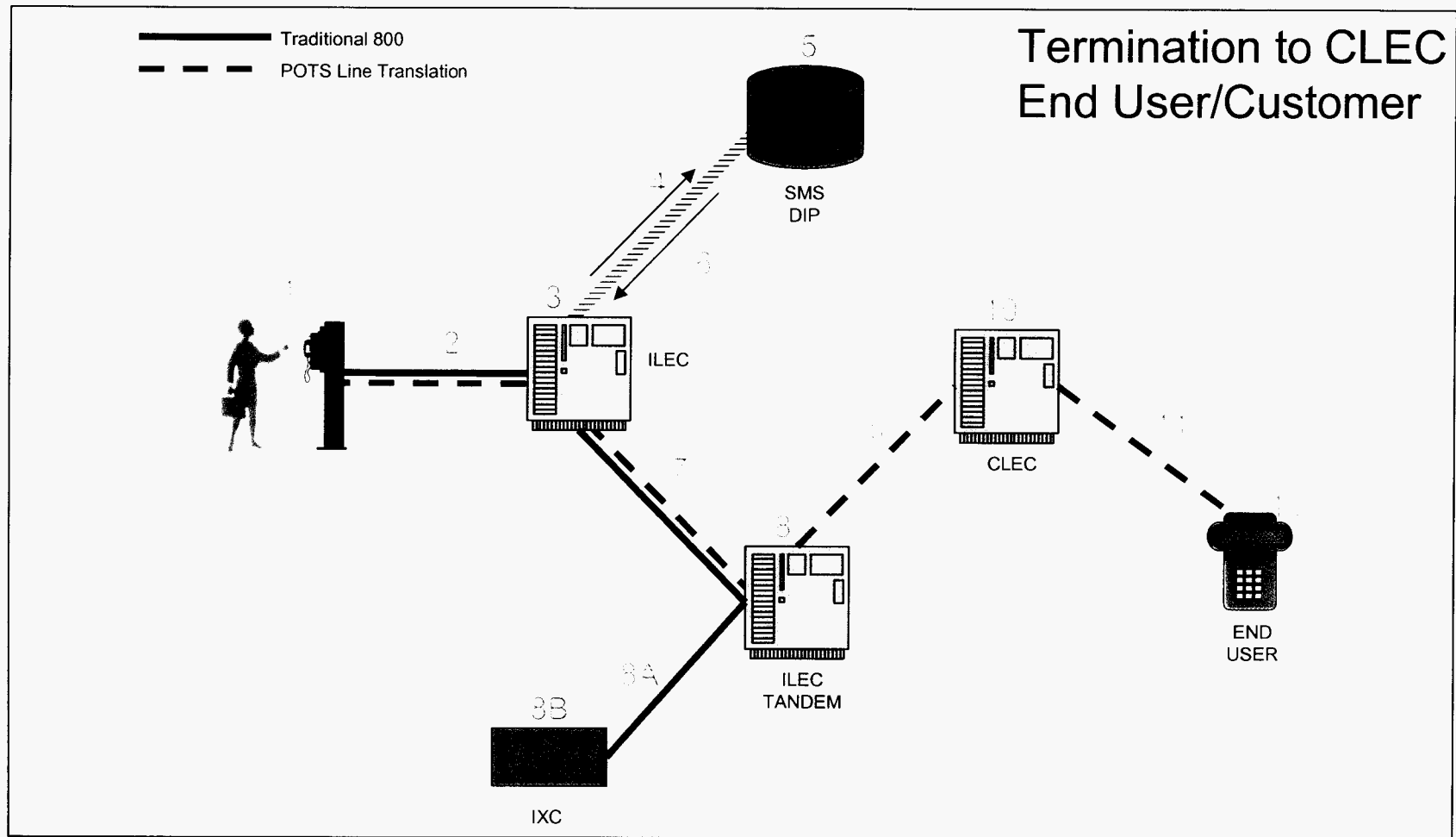
cc: William Dever
Carol Simpson
Denise Coca

Termination to CLEC End User/Customer



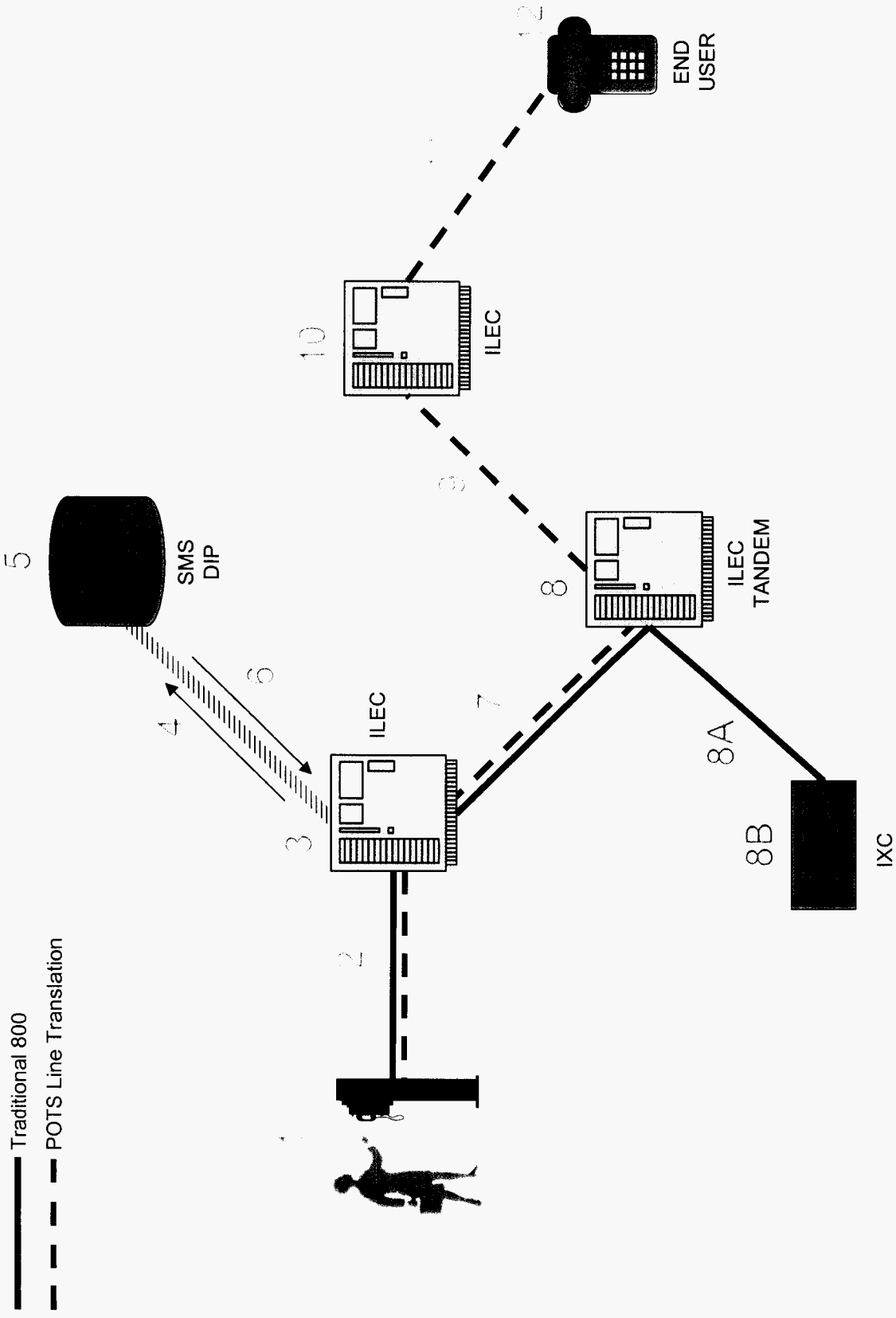
Termination to CLEC End User/Customer

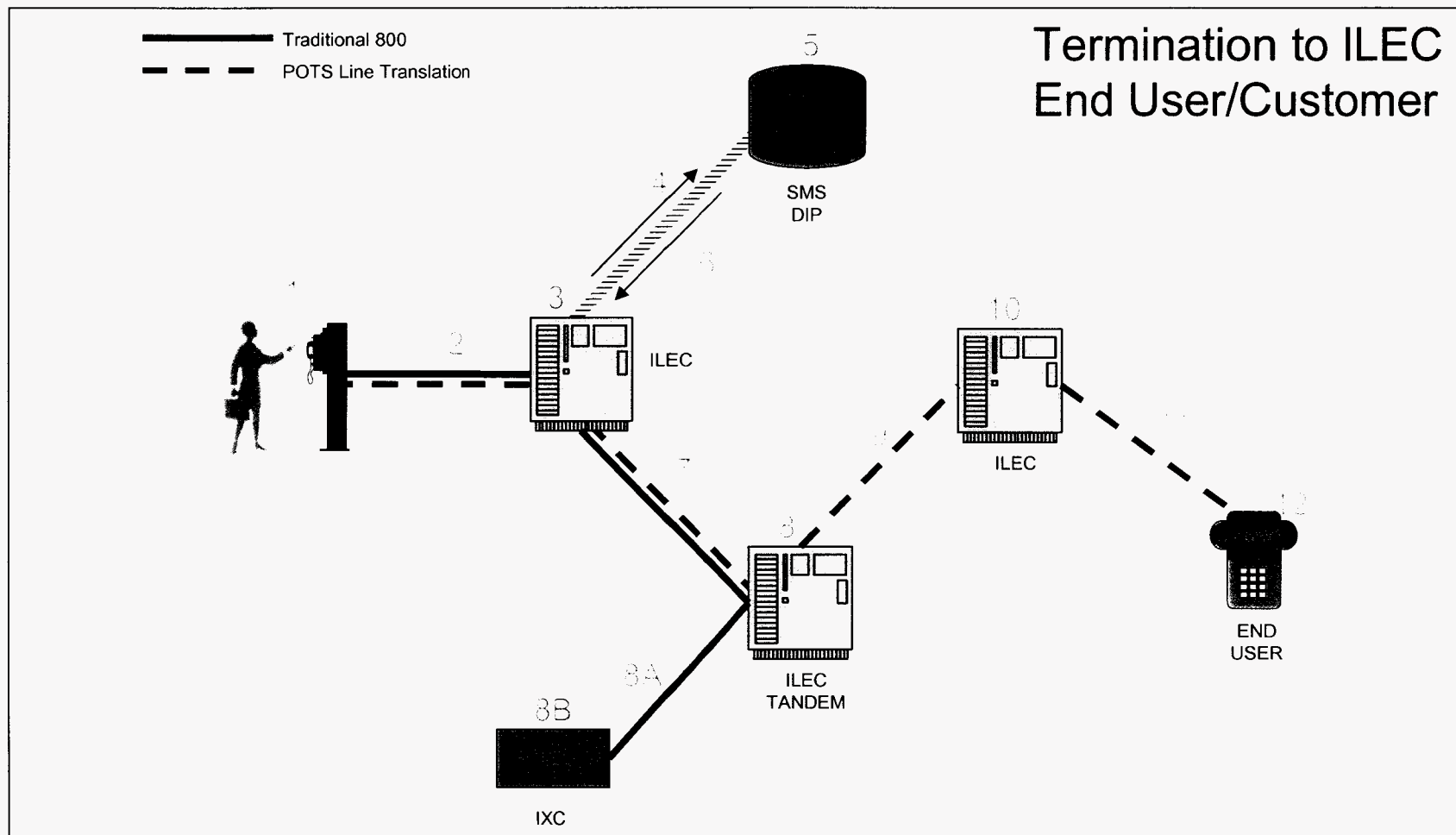




1. When is data field populated with ANI II code?
2. If prior to SMS dip, is 24/25 substituted in ANI II code digit field?
3. If not prior to SMS dip, is 24/25 inserted in ANI II code digit field after the dip?
4. Does 24/25 code go to CLEC (10)?
 - Does it reach tandem (8)?

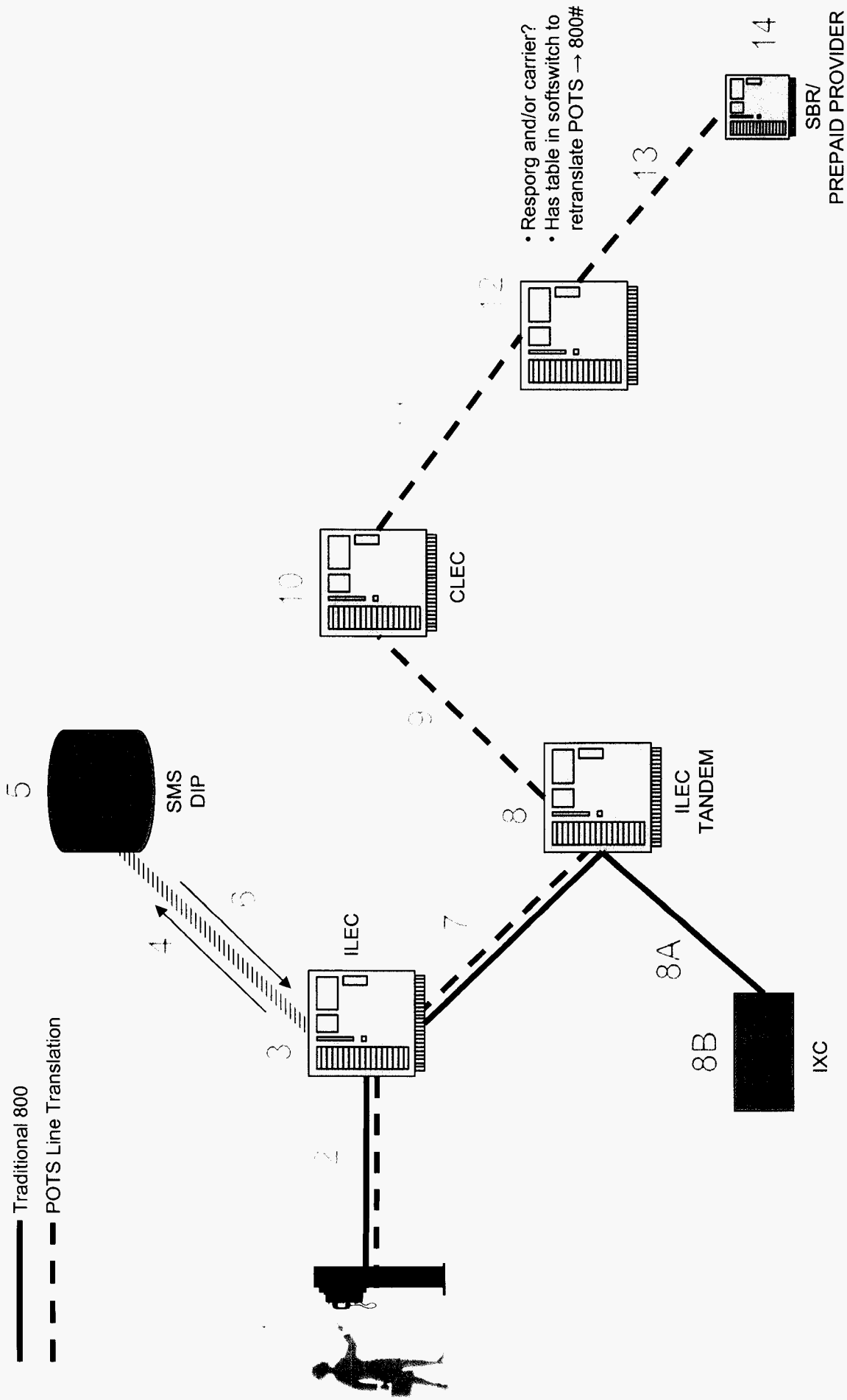
Termination to ILEC End User/Customer

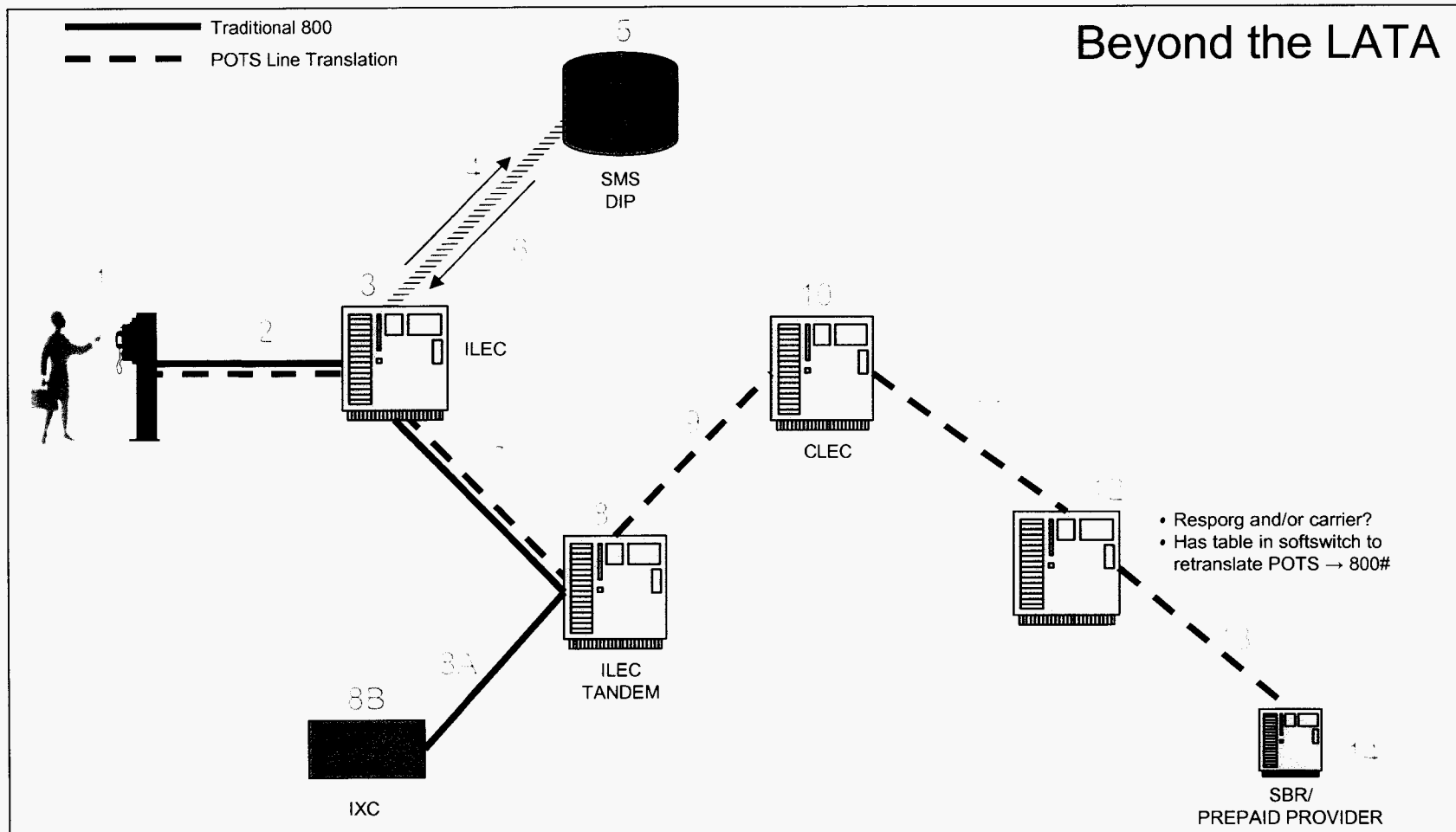




1. When is data field populated with ANI II code?
2. If prior to SMS dip, is 24/25 substituted in ANI II code digit field?
3. If not prior to SMS dip, is 24/25 inserted in ANI II code digit field after the dip?
4. Does 24/25 code go to ILEC (10)?
 - Does it reach tandem (8)?

Beyond the LATA





1. When is data field populated with ANI II code?
2. If prior to SMS dip, is 24/25 substituted in ANI II code digit field?
3. If not prior to SMS dip, is 24/25 inserted in ANI II code digit field after the dip?
4. Does 24/25 code go to ILEC/CLEC (10)?
 - Does it reach tandem (8)?
 - Does it reach resporg (12)?

IC Claims That Their Data Would Make The Rule Work

1. *MCI*: “[Intermediate Carriers] will provide the level of reporting PSPs need to verify the accuracy of compensation payments made by qualifying SBRs.” (*MCI Comments June 23, 2003, p. vi*)
2. *AT&T*: “AT&T’s proposal would allow PSPs to obtain compensation directly from SBRs by providing to PSPs the data that would fill the information vacuum that previously frustrated such efforts.” (*Comments of AT&T Corp., June 23, 2003, p. 13*) “PSPs will receive essential information (from both the IXC and SBR) that allows PSPs to ensure that the responsible SBR provides adequate compensation.” (*Id., Decl. of Diane Parisi ¶ 25*)
3. *Sprint*: “[T]he Commission could direct FS-IXCs to provide to PSPs, upon request, quarterly reports in electronic format to assist PSPs’ own collection efforts. . . . This information would give the PSP a solid baseline for assessing the thoroughness of each SBR’s tracking, reporting, and compensation to that PSP’s payphones. The PSP also could reprocess the data, or arrange for reprocessing of the data, in combination with similar call tracking data required from the SBR. This would allow the PSP to evaluate very effectively the reliability of the reporting, and the completeness of the compensation, it is receiving from that SBR.” (*Comments of Sprint Corp. June 23, 2003, p. 22*)
4. *Qwest*: “The Commission should require that all carriers must publish and maintain a list of 8XX numbers they service for which another party is responsible to pay compensation, along with that other party’s name and contact information. The list should be in a standardized format in a publicly accessible location, probably each carrier’s website. . . . The PSP should not be required to wait for payment until the carrier and its reseller debate which of the two is responsible for compensation.” (*Comments of Qwest Corp. June 23, 2003, p. 13*)

Totals by YQ and by per-call rate

YQ	SBC Paid Calls	CLEC %	Facilities-based CLEC calls	Rate	Potential Owed
2004q3	185,191	88.4%	1,413,592	0.24	\$339,262
2004q3	13,954	88.1%	102,992	0.494	\$50,878
2004q4	132,842	90.6%	1,283,432	0.494	\$634,015
2005q1	98,653	91.8%	1,111,453	0.494	\$549,058
2005q2	115,796	90.8%	1,139,436	0.494	\$562,881
2005q3	144,578	85.5%	852,152	0.494	\$420,963
					\$2,557,058

Carriers Identified with "Unpaid" Sent Calls 3Q04 - 2Q05

	Value sent calls - 4 quarters
Radiant /Intelligent Switching/Ntera	\$2,500,000
Approx. 8 carriers identified to the FCC Enforcement Bureau	\$4,600,000
Approx. 5 carriers identified in bankruptcy or dissolved	\$1,000,000
Approx. 43 carriers owing between \$10K and \$500K	\$3,100,000
Approx. 180 carriers owing between \$100 and \$10K	\$350,000
Approx. 160 carriers owing less then \$100	\$4,000
	\$11,554,000
 Approx. 40 carriers who are current payors, identified with some degree of underpayment or non payment of certain 800 numbers totaling over 12,000,000 calls	
• 6,000,000 potential exempt calls	_____
• 6,000,000 potential compensable calls	\$2,960,000
 Approx. 15 carriers claiming exemption on IC sent calls	 \$15,000,000